

11-1-1972

# The Loyola Brief

Loyola Law School Los Angeles

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FINANCE COMM. BUDGET  
FOR 1972-73

ITEM	BUDGET 1971-72	PROPOSED BUDGET 1972-73
ADMINISTRATIVE	\$250	\$250
NEWSPAPER	690	200*
ORIENTATION	100	350
STUDENT DIRECTORY	75	0
RECREATION	50	100
SPEAKERS	600	1000
ACTIVITIES OFFICE	0	200
MISCELLANEOUS	600	500
TRAVEL	1531	0
CONSUMER PROT. JOURNAL	850	1000
GAY LAW STUDENTS	0	500
INT'NL LAW SOCIETY	560	775
BALSA	775	1150
LA RAZA LAW STUDENTS	310	975
ASIAN LAW STUDENTS	338	500
LAWYER'S GUILD	1150	375
LOYOLA WOMEN	50	135
CLAC:	1900	0
C.P.J.J.	0	1200
LEGAL AID TO ELDERLY	0	520
DRAFT COUNSELING PROGRAM	0	310
C.O.L.A.	(233)	350
MOOT COURT	206	0
LAW REVIEW	300	0
	\$10335	10390
		800*
		11190

\*\$200 already allocated \$800 more available on contingency.

## SBA to vote on budget

By Ray Stuehrmann

Action on the budget for this coming school year started at the October 19 meeting of the Board of Governors with the provisional acceptance of the 1972-73 budget. Tentative approval was given to the unopposed allocations; once the differences of opinion are ironed out, the budget as a whole will be approved by the Board. The accompanying chart outlines the allocations as recommended by the Finance Committee, headed by Ted Perez.

The first eight items on the list were approved with little discussion except for the allocations for the newspaper and the Student Activities Office, both of which will be discussed at the next meeting of the Board of Governors. Travel as an individual item was deleted; the travel expenses of each organization were incorporated into their individual budgets.

The Consumer Law Journal received its appropriation; it is neither supported by Law Review fees nor has it been able to generate enough income through subscriptions yet to float on its own. Although \$1,000 was allotted, the actual operating expense is \$1,900 per year.

The twenty member-Gay Law Students Association originally requested \$2,125, a sum the finance committee deemed unrealistic. However, the committee recommended \$500 for the group's legal projects.

The seventy-five members of the International Law Society requested an original grant of \$1,080,

a portion of which was to go for office expenses. The finance committee decided that no group would receive money strictly for office expenses. The \$775 includes sending one member to a convention. This budget appropriation will be reviewed more extensively at the next meeting.

BALSA, with 85 members, received \$400 to host a state convention, \$300 to send a representative to the convention in St. Louis, and the remainder of its budget for a high school speakers program, in which black teen-agers will be brought to the school for a glimpse at the alternatives. The group also received a \$600 loan to put on a banquet to raise scholarship money for entering Black students. This dinner is to be held on November 10.

Fifty-member La Raza received \$850 for its state convention as well as \$125 to send a member to the national convention in Texas.

The Asian American Law Students, with 55 members, received \$500 for the establishment of a satellite neighborhood office to aid the Asian community; their multilingual civil rights brochure will be funded out of the same allotment.

The Loyola Women's allotment got lost in the shuffle. At the outset of the meeting, Doug Butler, SBA President, noted that this group was asking for an enlargement of their request; the additional money — to send Susan Wendt to a conference in Oregon over the weekend of Oct. 20 — was voted in, but the actual original allotment was not discussed.

(Continued on Page 4)

## Pentagon Papers attorney

# Weinglass raps gov't

By Judi Bloom

Prominent "movement" attorney Leonard Weinglass told an overflowing audience Oct. 18 that there is a "crisis in government."

Weinglass, whose appearance was sponsored by the National Lawyers Guild, was a trial lawyer for the Chicago Eight and for Angela Davis.

There is a "crisis in government," Weinglass said. Attorneys learn to be excellent advocates for any side of a controversy. They learn to place too much emphasis upon brilliance and not enough upon humanity.

He cited two statements in the Pentagon Papers where "brilliant and sensitive" men made suggestions to bomb the sluices in Vietnam and to bomb the rural villages to cause famine in the first instance and to deny the Viet Cong cover in the second.

"These are some of the finest legal minds. They can think in terms of excellence, but not in terms of humanity," Weinglass said.

Weinglass's present concern, the Pentagon Papers case is presently waiting for review by the Supreme Court on a petition for certiorari.

A defense motion that the court direct the government to turn over its surveillance logs on the defendants and their attorneys was sustained.

The judge set an absolute deadline of Friday, July

21 for the prosecution to deliver its surveillance logs. By 2 p.m. July 21 the jury selection had been completed. At 4:26 p.m. the government submitted an affidavit which flatly denied having any surveillance logs or information "except as may hereinafter be disclosed."

The meaning of the cryptic last sentence became clear to Weinglass the following Monday when he discovered that between 4:26-5 p.m. July 21 the government had secretly handed to the judge one surveillance log. The judge refused to tell the defense the subject person or the subject matter of the log.

This secret handing over of the surveillance logs undermines the adversary position, Weinglass said. The defense attorneys appealed to Justice William O. Douglas to stay the trial pending a circuit court appeal. The circuit court then reversed the stay. Douglas asked the prosecution the subject of the wire-tap. The government replied that it dealt with foreign affairs.

"Why are you telling me?" asked Douglas. The prosecution replied that "the government needn't tell anyone, but we'll grant this privilege to you." Justice Douglas, according to Weinglass, was not amused.

Weinglass expects the petition for certiorari to be denied and the trial to resume the second or third week of November.

## Frontera inmates aided by student lawyers here

By Patti Clemens

Editor's note: This is the first in a series of articles on the various clinical programs at Loyola.

The clinical program at the California Institution for Women at Frontera provides practical experience in handling cases and people. However, this description does not differentiate the program from other specialty seminars offered at Loyola; what does is an attitude or sense of purpose belonging to those who compose the group offering legal assistance to the more than 600 women inmates at Frontera.

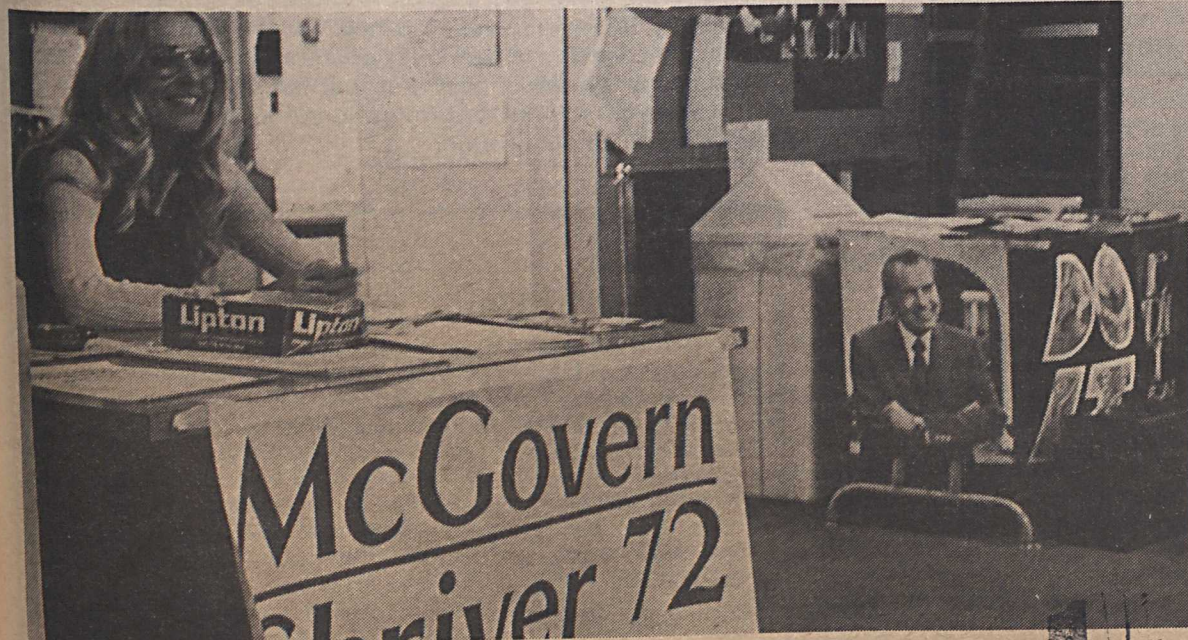
When asked why she chose the Frontera program a second year student answered that it seemed like the most important seminar because the prisoners had no one else. "They are the most helpless and need help the most. They are the most frustrated being locked up, they can't do anything, can't help themselves."

The program handles all types of cases, both civil and criminal. The bulk of legal problems usually consists of child custody cases and dissolutions. Prof. Daniel Stewart, the faculty supervisor, would like to see the program branch out in directions other than strictly providing legal services. His goal envisions sensitizing the young lawyers to a role which looks beyond the particular case to appreciate the larger role of the prisoner in society. This goal is shared by Glen Reed, one of the student directors, who would like to see more activity in the area of prison reform initiated by the program.

The students' role in the program begins with going to the prison and interviewing their clients. When asked if the prisoners are candid with their responses to inquiries one student answered, "You're their last hope, so they are fairly open." From here the students must evaluate the problems in terms of the law and determine proper remedies, if any. In some cases the remedy is fairly routine, as with a dissolution which requires simply filing papers. Other cases, especially child custody, can be emotionally draining and often entail meeting with probation officers, foster parents and the children themselves.

The program seeks, on a larger scale, to abate some confusion in the prisoners' minds as to why and how they have been incarcerated. This service is perhaps the most important one of all, to explain the legal process of judicial incarceration. Most of the women at Frontera are reasonably perplexed as to what was done at their trials, the whole process has overwhelmed them and they are not sure what has happened. More importantly, perhaps, is their fear that proper legal action has not been taken and that their subsequent incarceration is unjustified. All this the program seeks to answer and explain. Once a month Stewart and Reed meet with the "Clients Council," a group composed of one inmate from each "cottage" (10-12 women) to discuss various problems of a general nature. This council then, in turn, carries the message back to its perspective "cottages" and disseminates the information.

The Frontera program has been in force since 1970, but has been without a faculty supervisor for much of this time, and as such there has been no clear idea of where the program was going except in the area of providing legal services. Now with the leadership of concerned and sensitive individuals the program is heading for a new and dynamic role of exploring the prison system and seeking solutions for many of its problems.



POLITICS AS USUAL — Campaign literature for the presidential candidates permeates the coffee shop, but some of the local candidates' positions are less

well known. For a closer look at the District Attorney hopefuls, see page 3.

Photo by Gerry Shea



# A time of anguish, a time for change

Law teachers, judges and lawyers try to teach us to be rational. We are constantly instructed to examine "the facts" and then cleverly to identify, isolate and pick out "the issues." For three long years would-be "professors" who stand behind podiums, sit behind desks and collect monthly pay checks strive to train us, as they would animals, to be rational, "reasonable," respectable parrots who some day will be stoic practitioners and officers of the court. With their paternalistic approval we will soon be prepared to frame arguments the way fools have done since feudal times, but our minds will be so devoid of any positive sense of self or creative purpose that we will be forced to run to form books to see what to put on paper.

"Bravo!" cry the students who take delight in reaping the benefits of this caste system. "We will soon be rewarded with a license to steal. My learned hand will be filled with coin, and boot blacks will bow at my feet." "But is not something lacking?" others may ask.

Certainly there is. For in no way do the advocates of the established legal institution who lecture us, prod us and drill us daily acknowledge that we are people. We are people, lest we forget! So are our teachers, but by now the lawyer masks must stick to their skin. Soon it will stick to ours, for the manner in which we are treated in class is an attempt to rid us of our sensitivity to ourselves and to everyone else. "State the facts, spot the issue, memorize the rationale behind the holding" so that you may spew forth brilliantly on your exam. If a student or a lawyer applies this approach, one will deprive one's self, as well as the client, of that which he or she most has to offer — human understanding and help for another person. Rather than mechanically apply a rule of law, have you ever been encouraged to personally state what you believe is an honest and truthful solution to a problem, a proposition which you would ardently advocate? Of course not. Morality interferes with the legal system, as do outspokenness,

## By Ted Goodwin

spontaneity and emotions. A person who empathizes with his or her client, we are told, much less believes that client, will make a bad lawyer. Treat your client as an object and you shall risk neither objectivity nor detachment. "Learn to argue and you shall win" — that is the motto in which we cloak our deception. In applying for a job we are told to dress up clean and straight, "yes-sir" the interviewer, glorify ourselves by putting down our fellow students and, above all, to say not a word about politics.

Where does this formula lead one? It leads to double-knits and credit cards. It leads to subservient secretaries, cocktail parties, financial security and fantastic detachment from any solution to the problems which are plaguing this sweet country of ours. It leads to a self-serving, money making elite which treats lay people as stupid inferiors and well entrenched corporate-banker-businessmen as gods. Criminal defendants, oppressed racial minorities, women and poor people are untouchables who offer nothing to a lawyer who is trying to "make a buck" so he can "get ahead." "America: Love it or Leave it." This can be your banner, too. You can leave reality by playing the legal game the right way. But you will also be leaving the starving, suffering, war-stricken, dehumanized people of this country and Southeast Asia to suffer for your indolence.

Personally, I find it difficult to believe that you are stupid and lazy enough to let others do your thinking for you. I find it difficult to believe that you really watch a particular news broadcast, as the billboards would suggest, because you enjoy the personality or the hairstyle of a particular plastic reporter. Have world and local news events been reduced to such a new, low form of entertainment that the detached

spectator views maimed and burning bodies with the same degree of emotional involvement as he views Walt Disney cartoons? Does anybody fall for the feigned reality of Nixon and Kissinger, the Sundance Kids, who shadow-box across the globe, waving Old Glory while saying nothing? Or do they say something and do nothing, or say nothing and do nothing? I can't tell anymore.

"Come, now," you must be saying. "There is no relationship between passively watching the comic strip news and passively ingesting the words and thought patterns that my teachers drum into my head. After all, I actively do my homework." If there is no relationship, then tell me if there is a difference between the amount of control you exert over the six o'clock news and the amount of control you exert over your nine o'clock class. You can decide whether or not to turn on the tube and, likewise, whether or not to go to class. But it takes a far greater effort and far more courage to try to alter the direction that reality takes both inside and outside the classroom.

To bring political reality into the classroom is to confront the legal system with the reality which it has created. Teachers may be upset with comments which upset their lesson plans, but we are upset with the problems which upset our life plans. We are paying to learn lawful means to influence our lives (Is this a rationale?). When we leave law school, will we be equipped to improve society or to continue to ruin it? We ought to presume that our teachers are "rational, reasonable" people who will listen to those who don't want a future of racism, sexism, economic exploitation and war. Rather than suffering despair at not achieving positive radical change, let us openly question and challenge that which we believe to be immoral and unjust. Let us learn legal tools in a context which encourages the accomplishment of that which has not been done before. After all, we stand to lose if we don't fight to gain.

## Aqui Yace Ray Emery

### By Patricio Vargas

Ray Emery was disqualified from Loyola. Several weeks later he was killed in his closed garage, by carbon monoxide from his car . . . tonight we'll sit at his wake.

Now Loyola has only one Indian to call its own. Ray was the next to the last one. He came a long way just to study White law. He was from South Dakota's Rosebud Reservation. He was going to send for his wife and children to live in Los Angeles.

He failed to meet White Standards set up for White people. His G.P.A. was 65.41, not good enough to remain a third year evening student. After his investment of three evening-years at Loyola and three day-years working at N.B.C. Ray was discarded and tonight we'll see his relatives mourning his life and pining for him. Ira Hayes failed to meet The Standard, too, he won admission to America by way of Iwo Jima only to drown, drunk, sick, killed in two inches of water, forgotten.

Ray made White people uncomfortable. His tall, lanky presence, accentuated by his black hair and tea-brown skin made them stare at him. They were never quite sure what he was; could be Mexican: to them he was just an unusual looking student, usually quiet and unobtrusive . . . couldn't be injun, it was unheard of.

After a squalid life and all its corrosive, ugly etchings on a man's character, Ray miraculously survived the long bitter swim from his pillaged, white-infested, invaded world to the world of the college student, and on to evening law school.

Ray was a twentieth century rarity. The impoverished son of a vanquished, good people who once lived and let live on a natural land . . . he now mingled with other sons of other rulers. These were the moneyed elite, mostly, with a sprinkling of up-by-the-bootstraps hardies from the nickel-squeezing working-class ranks. But mostly they were the chubby-fisted scions of the comfortable, wanting more comfort and dreaming silvery dreams of uptown offices, credit-card faces and a summer place in Mazatlan.

Able to attend a prestigious law school only through the guilty magic of a pittance poverty program, Ray was held up by his people as a vindicating example, as a prize model of Indian ability and heart. It was a heavy item to bear, when all you were was a man and yet your people concentrated, lasered all their aspirations and hopes for change on you . . . and then you flunked.

There must be a pin-point in a man's self-awareness . . . when he holds himself up to his own pitiless light and then examines himself ruthlessly, harshly and sentences himself. There is no keener, crueler, more final blade. Especially if suddenly all the life-long conditioning drilled into you by your captors and keepers, that you are really second rate, an unharmonious freak disturbing smooth waters, a swarthy nuisance forever socially underfoot, seems suddenly true.

Ray Emery died in vain. There were the proper number of condolences, the sad looks, the hackneyed ceremonies, "entoning the Latin words from a Jew, in Palestine, cooed to an Indian by an Irish priest."

The moist eyes, the sympathetic words, the flowers and token mass appearances are not powerful enough magic to bring Ray back to class. He is forever dead.

Read this, dear Reader, and hurry to your next class, your next meeting with the Faculty, to arbitrarily seal somebody else's fate.

Some say it was an accident. A man killing himself accidentally with carbon monoxide isn't that rare. Others say it was suicide, that he broke under the desperate copelessness of flunking out of law school, Indians having the highest suicide rate in America. And still others call it murder, that he was murdered by unfeeling bureaucrats who didn't mean to be assassins; they were just doing their jobs and Emery, after all, just hadn't cut it. There's a limit even to White liberality.

# OPINION

## Letter to the Editor

## Poor attendance questioned

To the Editor:

We recently heard of a professor warning his class that poor attendance may result in exclusion from the final exam, which would mean a failing grade. Several other professors have felt the need to warn their students of a strong correlation between attendance and grades.

It seems a fair assumption that such a correlation exists and that the motives for such warnings are good, but it remains to ask, and to answer, why attendance is so poor. And while we're at it we might also ask why it is no surprise to see drooping eyelids, yawns and furtive looks at the clock during a typical class hour.

Perhaps we have grown to accept the ennui of a classroom situation, but the reasons for tolerating it should no longer exist. No one is legally compelled to be in law school. Few, if any, students are attending law school in order to snag a spouse. In short, no one has to be here; it should be reasonable to presume that we are in school because we want to be lawyers. If there are very many of us here lacking that desire then something is wrong with our admissions policies. Certainly there is no shortage of qualified and eager applicants.

We can make the original question more pointed. Why does so little of our enthusiasm for law carry over into the curriculum? Perhaps we can take solace in our bored dissatisfaction from the oft-repeated belief that law school is vastly different from the practice

of law, but that doesn't speak well of our education.

Shouldn't a professional school resemble the profession? We infer an affirmative answer from the increased emphasis upon clinical programs, but innovation should not stop there. We urge the faculty to examine the fundamental structure of traditional legal education. Perhaps the subject matter is too fragmented, or the case method is not the best ap-

proach. Maybe there is an underemphasis of research skills, or the classes are too large.

Dozens of other questions present themselves, and we should not recoil from facing them. Law school should be an effective preparation for the practice of law, rigorous if necessary, but not simply a three year hazing prior to entry into the comfortable fraternity of lawyers.

Name withheld

## Editorial

The editor of any new publication seems compelled to expound on the underlying philosophy behind that publication: probably to the disinterest of the readers. To present any such manifesto on behalf of a four page monthly seems somewhat presumptuous, but perhaps there are those who will wonder just what is the point of all this.

Our purpose is a modest one. To inform. Period. We have not the time, space, nor, truthfully, the desire to persuade, although those who make use of our editorial columns may.

One of our aims is to provide a place for all those who have something to say. However, since we are not bound by FCC regulations, we do not feel compelled to provide equal space for everyone. Our primary goal is to put out a newspaper, and we retain the right to final determination of what is news. But we're always open to suggestion. . .

## Loyola School of Law

## BRIEF

The Brief is a monthly publication, funded by the Student Bar Association of Loyola University School of Law, 1440 West Ninth St., Los Angeles, Calif. 90015. All opinions expressed herein are solely those of the staff and in no way reflect the views of the SBA or the Administration.

Editor  
Assistant Editor

Staff

Judi Bloom  
Jose Galvan  
Photographer  
Technical Advisor

Pamela Sellers  
Patricia Clemens

Stephen Lesser  
Ray Stuehrmann

Gerry Shea  
Nina Pinsky

## Letters

All letters to the editor should be placed in the Loyola Brief mail box and should be typed, triple spaced with margins set at 10-65. No letter will be printed unless signed, but names will be withheld upon request.



# Special interest groups - why?

November, 1972

LOYOLA BRIEF

By Loring Emile

"Where the citizens have no right to control the government the result is a society of wolves ruling over sheep. Liberty has often been lost through the licentiousness of turbulent majorities (who) trampled on the rights of the minority." (Jefferson, 1785). The solution in Madisonian terms would be . . . "Large numbers of special interest groups whether deriving from property or from opinion, will not easily combine into a majority that will threaten the minority" (Madison, 1788).

From these two propositions there emerges two factors upon which to base the supposition that a special interest group is not *prima facie* negative. Apparently if one chooses to do so he would find that American history is replete with instances of special interest group successes and failures. The vociferance of such interest groups dominated the courts and legislatures of the United States during its early developmental period. Notwithstanding the existence of a special interest group's ability to exercise power and influence, it is also more often subject to challenge and obliged to yield to other group demands vis-a-vis ecology v. industrial pollution.

The point here, however, is not to say that either one is more beneficial than the other, but simply to focus on the inherent quality of balance which emerges from such a situation. The right to pursue capital growth and industrial development has not been prohibited. Certainly not, nor was that the objective. The thrust of the ecological interest groups power is to assure that the duty, owed to the community immediately and adversely affected, be enforced.

Liberty often is lost in the masquerade of majority will, totally uninfluenced by a contentious and cantankerous minority. Under these circumstances the "wolves reign supreme and tyranny subverts liberty." One of the fundamental problems with eliminating special interest groups is the process of allowing majority rule and declining to recognize special interest group need. This may, of course, lead to innumerable schemes to "keep the minorities out." For example, when the majority refuses to accept participation of special interest groups this is an affirmative action expressly establishing a limitation on representation.

A limitation on representation, designed to include all majority member representatives, does, in fact, disenfranchise all those not a member of the majority. Given that this view should prevail, the very existence of a minority would provoke sanctions which are enforceable, since any claim to legitimacy was erased with the evolution of the original rule limiting representation to majority members. In a free society we should be concerned with the expansion of representation rather than the limitation of representation.

Blacks have few illusions about the manner in which their interest will be represented when such tactics as those expressed by a few students and some members of the SBA are employed. The

proposal, simply stated, dictates that "voting rights on the SBA be confined to representatives elected at large." If this should occur we would be taking a giant step backward, because the SBA's ability to articulate and support minority group interest must intrinsically be interwoven with its own perspective, not that of the special interest group affected. We once lost a liberty gained through the blood and agony of a civil war to the ravaneous greed of the people movement (Populist). History does surely justify Blacks' scepticism of Populistic movements. Frankly, in the annals of time never have there been any other group of people with so many benevolent benefactors.

Perhaps it is not surprising that we must concur with Madison's view. His analysis of the American character specifically and human nature generally, cast a firmer and more penetrating insight than many of his contemporaries could have imagined when he analyzed the dynamics of majority and minority effect on the democratic process. Madison recognized the inherent power of special interest groups and the majority. The threat, from majority, to special interest groups, declines proportionate to a concomitant increased in the number of special interest groups. Granted this logic fails too when at an accelerated rate, groups proliferate to a sort of atomistic anarchy.

To deal with the latter problem the SBA has voted to establish guide lines as criteria for the admission of special interest groups. In addition all special interest groups will be subject to review annually and may have their voting rights terminated in the event of non-compliance. No special interest group shall enjoy the status of a constitutionally created entity. This decision we in Balsa believe reflects very fine prospective thinking.

The SBA must continue to enjoy the benefit of immediate communication and dialogue with all segments of the student population. We have grown rapidly here at Loyola because of this kind of interaction and feed-back. Black students want to have their interests represented by someone who knows that after years of representation by someone else the following conditions persist:

- I still have the highest crime rate
- The lowest level of health care
- The highest death rate
- The lowest number of jobs
- The highest illiteracy rate
- The lowest income
- The highest juvenile delinquency rate
- The lowest academic qualifications
- The highest opportunity for failure rate
- The lowest possibility of success

Now considering all these "ups and downs" at the hands of non-member representatives we would have a difficult time surpassing this record of failure. And to those who would desire to act as a surrogate for Blacks we say. . . "sorry, but you had your chance for over two hundred years, and baby, no 'mo' days."



Photo by Gerry. Shea

**FOREBODING OMNIPRESENCE** — The metal monster reigns over the now defunct - soon to be reborn - Loyola parking lot. The new structure promises to be a panacea to parking woes upon completion - whenever that is. As for now all the activity affords lunch time entertainment for construction gawkers but also unhappily contributes its share of noise pollution.

## DA candidates focus on campaign issues

Vincent Bugliosi

By Ray Stuehrmann

**Editors note:** The Brief does not have the space to cover the myriad of propositions and candidates on the upcoming Nov. 6 ballot. However, the District Attorney's office is of particular interest to potential Los Angeles lawyers. With that in mind the Brief sent reporters to interview both candidates.

Deputy District Attorney Vincent J. Bugliosi discussed two of the central pledges of his campaign: to improve the conviction rate and to prosecute polluters.

Bugliosi was asked how he would allocate his manpower, whether he would concentrate his efforts on the easier to prosecute small firms or go after the larger major industrial polluters.

He would prosecute anyone who violated the law, Bugliosi said, but this does not mean that the manpower would be dissipated on a plethora of small establishments.

The enforcement of the law is regulated by the Ringelman chart according to Bugliosi which assesses a more stringent liability on the larger the plant in question; thus, the large plant, e.g. an oil refinery is responsible for a greater percentage of its wastes than a smaller commercial venture, for example, a small dry-cleaning plant. This is not to say that a small business has a license to pollute; it does mean that since he contributes less to the overall picture and has less resources for installing anti-pollution devices, he is

given a somewhat wider margin under the law.

In relation to this point, Bugliosi expressed the conviction that if he were elected, he would be able to carry out these reforms with the present staff of the District Attorney's office.

"It is inconceivable that a deputy would not want to stop consumer fraud and pollution," he said. If there are any, they certainly would not be in the sections concerned.

Bugliosi said he would improve the conviction rate and the morals of the office by giving the new deputies a training period before assigning them to take on cases on their own in the courtroom, as is now the policy of the District Attorney's office. New men, fresh from law school, are presently handling cases in the courtroom without any training under an experienced prosecutor. Since the new man usually encounters a seasoned defense attorney, he does not usually win the first rounds in court. These defeats neither assist the office in attaining a reasonable level of efficiency nor add to the morale of the attorneys.

Finally, Bugliosi stated that in seeking new recruits for the office, he would be looking for "conscientious hard workers who have a grasp of the basic role of the prosecutor, which is to serve justice." This fundamental attitude, formulated by the ABA Canon of Legal Ethics, is essential to the formation of a healthy attitude in the District Attorney's office.

Joseph Busch

By Stephen Lesser

Joseph Busch, the incumbent District Attorney, was appointed to the office two years ago by the Board of Supervisors after the resignation of Evelle Younger.

Last week Busch was questioned on several of his campaign positions.

**Q.** How do you compare yourself with your opponent?

I have had fifteen years of trial experience in the office and I became supervisor of the downtown central division felony trials. I then became Director of the Bureau of Special Operations which heads every special unit in the office. Following that I became Assistant District Attorney, in charge of the operations of the whole office, I became Chief Deputy District Attorney and have been District Attorney for almost two years.

My opponent has been off for a year. Two years before that he tried the Manson case. For a year before that he tried two cases and has never supervised anybody. He has never had a position of executive responsibility anywhere.

**Q.** What would you say are the chief problem areas of law enforcement in Los Angeles County?

A. The biggest problem facing law enforcement today is the drug oriented society. Narcotics is a serious problem because it contributes to crime. People are concerned about crime in the streets and in the home, and that is where the thrust of law enforcement is today.

**Q.** Your opponent has charged that you are more interested in prosecuting crime in the streets than crime in the suites, that you are lax in bringing charges against industrial polluters and in cases of consumer fraud.

A. That is a platitude of a person who doesn't know what is going on in the office. I created the special consumer and environmental section. And this was only a supplement in our day to day operations by bringing injunctive relief. We prosecute consumer fraud cases day in and day out. This office prosecutes more polluters than any other prosecuting agency. We convicted over 300 corporations last year. The D.A. himself has nothing to do with the cases. That is why he has 450 deputies.

**Q.** What do you think about prosecution in "victimless crimes"?

A. The D.A.'s responsibility is to enforce the laws of the people, not special groups. As long as certain conduct is defined by the legislature as criminal, it would be dictatorial for a district attorney to disregard that mandate. The greatest misinformation about the priority of criminal prosecution occurs in victimless crimes. It is at the bottom of the ladder. It makes a popular topic. I have never seen a homosexual act between two consenting adults in private ever prosecuted. The only cases that I have seen prosecuted occur in public toilets, where others are offended. Or where it is commercialized in dirty movies.



## Loyola grad vs. The Bar

## Cruz fights to be certified

Richard Cruz, 1971 Loyola graduate, has yet to be certified by the Bar. The Committee of State Bar Examiners is presently holding hearings to determine whether Cruz is of "good moral character" and qualified to practice law in California.

Cruz has already passed the bar examination, but his certification has been delayed while the committee decides whether he has complied with the "good moral character" requirement.

The questionable activities, according to the committee, include some of Cruz' involvements while in law school.

He was co-chairman of a barrio organization called Católicos Por La Raza (Catholics for the People), which pressured the church into taking a more active role in improving conditions in the Mexican-American barrios.

Among the demands were that the church concern itself with the problems of the poor, that it use its

power to oppose police brutality, and that it use some of its monies to improve conditions such as employment, health, and poverty.

On Christmas Eve, 1969 at St. Basil's Church on Wilshire Blvd., a disturbance occurred when sheriff's deputies refused to allow members of Católicos Por La Raza to enter the church. In the confrontation that followed, 21 members of the group, including Cruz were arrested and charged with inciting to riot and disturbing a religious service.

This summer Cruz served 120 days in jail as a result of his conviction in the St. Basil disturbances.

At the present time Cruz is working for the Mexican American Legal Defense and Educational Fund in Los Angeles, while his attorneys, Art Goldberg, Antonio Rodriguez and Nat Zahm plead his case.

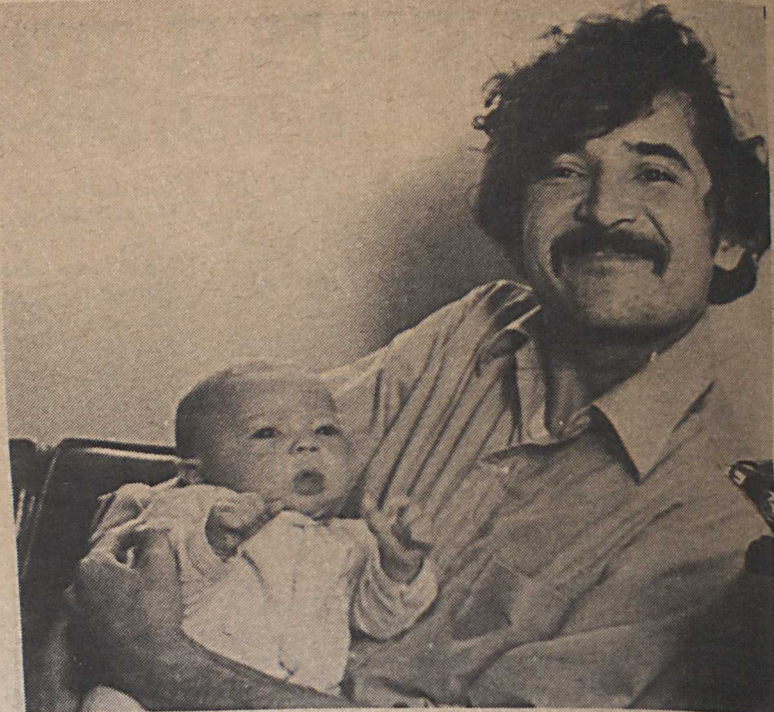


Photo by Robert Guerra

Richard Cruz and son

## Announcements

The St. Thomas More Society will present a speaker forum featuring District Attorney and candidate for reelection, Joseph Busch at 8 pm Friday Nov. 3, in Moot Court. Busch's speech, "Victimless Crimes: Sex and Drugs," will be followed by a panel discussion including Busch, criminal law professors Gerald Uelman and Anthony Manzella, as well as a member of the Gay Law Students Assn.

Cocktails will be served at 7:30 pm and all students, faculty and guests may attend.

★ ★ ★

The Student Activities Office (SAO) under Kitty Dooley, has gotten off to a healthy start with the sale of 90 tickets to The Prisoner of Second Street at \$1.75

apiece. Originally, the Board of Governors authorized the purchase of 50 tickets at discount prices, but when they went rapidly, the Board authorized the purchase and sale of an additional forty. The only cost to the SAO was the cost of four tickets which could not be sold because they were scattered around the theater.

The SAO also purchased 100 tickets to the upcoming production of Henry IV at the Mark Taper Forum. Tickets were sold for the performances of Nov. 12, 21 and 26. Plans have also been made to sell student-priced tickets to the Laker games.

★ ★ ★

Applications for the California State Graduate Fellowships will be available Nov. 1 in the

Financial Aid Office, according to Mrs. Isabel Higgins, Financial Aid Director.

A limited number of these scholarships are available; last year Loyola received only two. Since the State Scholarship and Loan Commission expects to have only 200 new fellowships the competition has been limited to students who will be in their first or second year of graduate school beginning Sept. 1, 1973. Only first year Loyola students will be eligible. However, students who had scholarships last year may apply for renewal.

Applications must be mailed by the student to the State Scholarship and Loan Commission by Dec. 15, 1972, and must include the student's LSAT scores.

## Budget . . .

(Continued from Page 1)

The \$120 was appropriated with little argument, since every other group received money for convention travel.

The forty-seven members of the National Lawyers Guild were tentatively allotted \$375 to continue their prison reform suit.

The CLAC budget was tentatively approved; Moot Court and Law Review are not being

budgeted by the SBA this year because the administration has taken financial responsibility for them.

The next session will start to work out the areas where there is either dispute or question. These include the Student Activities office, the Loyola Women's budget, International Law Society, the Lawyers Guild and The Brief.

## Deadlines

All announcements submitted to the newspaper must be typed, triple spaced with margins set at 10-65. The deadline for all copy is Nov. 20, 1972, and any announcement should be placed in the Loyola Brief mail box.

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## La Raza

The Chicano law students at Loyola are making preparations to host the state La Raza Law Students Association Convention here on campus sometime during the semester break.

Chicanos from all law school campuses in California will be represented as will private lawyers and legal aid poverty attorneys from the local area. Efforts will be made to have the various federal agencies present to outline their hiring and recruitment policies for Chicanos.

Workshops will center on the various problems facing the Chicanos, latinos, etc., i.e. political representation, labor, educational and penal reform. Attorneys from these respective areas will be invited to speak before the different workshops.

La Raza members have been meeting, along with other Chicano law students from the area, with representatives from the local public defenders and district attorney's office. Meetings will also be held with some of the candidates running for other elected offices such as district attorney, and possibly with some of the mayoral candidates.

La Raza Officers for the 1972-73 year have been elected as follows: Chairman Jose Galvan, Vice-chairmen Carmen Ramirez and Natividad (Nat) Chavira, Secretary Armando Lopez and Treasurer Ray Campos.

## Gay Law Students

The Gay Law Students Association (GLSA) is the most recently recognized of the special interest groups by the Student Bar Association. The GLSA meets at 9 p.m. every first and third Thursday of the month at the Gay Community Services Center, 1614 Wilshire Blvd. (near Wilshire and Union.)

Membership is open to any male or female law student interested in the goals of the association. Such persons need not be gay, nor is there any requirement of "coming out" on campus for those who are. The constitution and by-laws of the association expressly provide that names of members shall remain secret and that no disclosure shall be made without the consent of the individual. Membership now includes law students from UCLA, USC, Loyola, Southwestern and University of San Diego.

Objectives of the association are to work toward solutions to legal problems especially encountered by the homosexual community, to provide and expand social and

professional relationships among and between law students and the Bar, and to increase the usefulness of the legal profession to the gay community and to the public at large.

Of special interest to law students is the probation and O.R. (own recognizance) program, designed to give assistance to gay people who have been arrested. Law students working on this program are provided an opportunity to do legal work while they also do social work for the gay community. Some legal aspects of the work involves reading complaints and police reports to insure accuracy and to detect defects, discussing legal aspects of the cases with the public defenders, interviewing defendants to insure that they understand their rights and the alternatives working with individual public defenders or private attorneys on selected cases, doing investigation and research.

The next general meeting will be held on Nov. 2, 1972. Since the GLSA has both legal and social interests, one of the topics for discussion at the meeting will be the details of the next party.

Check the display window for news of current interest.

## BALSA

BALSA is primarily dedicated to the elimination to this destructive 'preoccupation'. Therefore, it has taken the position that although there has been an overwhelming amount of good faith effort put forth in the black community, by others, to solve its economic, political, and educational woes, an important ingredient is still missing: i.e., a long term vested interest in the black community becoming a viable contributing part of the whole. To that extent the role of the Black lawyer is, by 'implication,' immediately recognized.

BALSA'S attempt to deal in a concrete manner with this self-image changing process starts with the recruitment of Black students as applicants to the law school. The LEOP and CLEO programs (Legal Education Opportunity Program and Counsel of Legal Education Opportunity) are two sponsoring programs which allow the financial burden of a legal education to be minimized for applicants who have shown a potential for success in the study of law but simply lack the money.

Within the scope of the guide lines of the above programs, individual chapters of BALSA, at the various law schools, seek to attract black university graduates who are interested in attending law school. Most of the recruitment is done through the Dean of Admission within the University's

administration. However, BALSA voluntarily supplies students to assist the Black recruitment segment of its minority student program.

The first year of law school is the most difficult. To assist the new students BALSA arranges for information concerning financial aid, work-study, housing, and materials to assist the student during his first year; e.g., outlines, hornbooks, and other paraphernalia that becomes part of the neophytes' portfolio. BALSA has proposed, for the Fall 1972, that a writing seminar be established. The proposal, if accepted by the Administration, would require first year black students to take a writing course designed to increase the students desire and ability to communicate.

In the community, BALSA members have taken leadership responsibilities in programs offered by CLAC (particularly the Watts Office). BALSA is responsible for creating annually the following activities: (i) Career Day (employment resources, interviewing techniques etc., especially designed for high school seniors); (ii) High School Speakers Conference (for students interested in legal training); and an annual Scholarship program.

Further, BALSA strongly encourages its members to develop their leadership skills by actual participation in the myriad of student activities here at Loyola. After all, mutually informative communication is essential to the whole concept of the Black law student's newly emerging self-image. In this climate BALSA has vigorously projected its membership into campus programs and activities, off-campus, community, regional and national arenas, progressively growing and learning.

## Loyola Women

The Loyola Women have tackled an important problem of organization by appointing a steering committee. This committee is designed to take the place of general meetings, that have heretofore been difficult to organize due to conflicting schedules of the women students.

The committee plans to meet every week to tend to pressing business matters. The committee's business will then be presented monthly to a general meeting of all women. This monthly meeting will be in the evenings to ratify or overrule actions of the steering committee.

The members of the steering committee are: Ruth Orcutt, Judy Friess, Randy Morrison, Carol Wendelin, Claire Van Dam and Carol Schatz. The women's representative to the student bar is Claire Van Dam.

The Loyola Women urge all women to participate in these monthly meetings.